

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

BRIAN DAVID MATTHEWS,

Plaintiff,

v.

BERNARD WARNER, PATRICK GLEBE,
STELLA JENNINGS, TANYA PLEINES,
DUANE CAMPEAU, RANDI SMITH,
DAVID PIUKKULA, STATE OF
WASHINGTON, WASHINGTON
DEPARTMENT OF CORRECTIONS

Defendants.

CASE NO. 3:15-CV-05464-RBL-JRC

ORDER ADOPTING REPORT AND RECOMMENDATION

The Court, having reviewed the Report and Recommendation of Magistrate Judge J. Richard Creatura, objections to the Report and Recommendation, if any, and the remaining record, does hereby find and **ORDER:**

- (1) The Court adopts the Report and Recommendation.
- (2) Plaintiff's application to proceed *in forma pauperis* (Dkt. 1) is **DENIED**;

1 (3) If plaintiff intends to pursue his complaint, he must pay the \$400 filing fee to
2 proceed with his action. Plaintiff shall have 30 days from entry of this order to pay the \$400
3 filing fee.

4 (4) This matter is re-referred to Magistrate Judge J. Richard Creatura for further
5 proceedings.

6 **DATED** this 16th day of October, 2015.

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10 Ronald B. Leighton
11 United States District Judge

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